



4-11-02
#6/IDS
Docket No. 003252-052961

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TECHNOLOGY CENTER R37C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: George Brainard

Serial No.: 09/853,428

Group: 1614

Filed: May 10, 2001

Examiner: To be assigned

For: PHOTORECEPTOR SYSTEM FOR MELATONIN REGULATION AND
PHOTOTHERAPY

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: 10/29/02

Melissa Kruggel
Melissa Kruggel

Sir:

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §§1.56 and 1.97, Applicants herewith submit the publications and/or patents shown on the attached form PTO-1449, for consideration by the Examiner in connection with the examination of the above-identified patent application.

REMARKS

In accordance with the provisions of 37 C.F.R. §1.97, this statement is being filed:

X

- (1) within three (3) months of the Filing Date or before the mailing date of the First Office Action on the merits; or
- (2) within three months of the mailing date of the PCT International Search Report; or
- (3) after the period defined in (1) but before the mailing date of a Final Rejection or Notice of Allowance, and the requisite Certification or fee under Rule 1.17(p), namely \$240.00, is included herein; or

B639150.2

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- (4) after the mailing date of a **Final Rejection or Notice of Allowance**
but before the payment of the **Issue Fee**, and the requisite
Certification, petition, and petition fee are included herein.

It is respectfully requested that each of the documents shown on the attached form(s) PTO-1449 be made of record in this application. Copies of these documents (CHECK ONE):

- X are enclosed herewith; and
 have been cited in the parent application, and are thus not being resubmitted herein.

A copy of the International Search Report from its corresponding PCT application, PCT/US01/15272, is also enclosed herewith.

Early examination and allowance of the present application are respectfully solicited.

FEE AUTHORIZATION

Should any fees associated with the submission be required, the Commissioner is authorized to charge the missing fee to our Deposit Account No. 50-0850 or 14-1138. Any overpayments should be credited to said Deposit Account.

Respectfully submitted,



David S. Resnick (Reg. 34,235)
NIXON PEABODY LLP
101 Federal Street
Boston, MA 02110
(617) 345-6057

Date: 10/29/02

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PTO/SB92(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Certificate of Mailing under 37 CFR 1.8

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Melissa Kruggel

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Form (PTO/SB/21)(1 pg)

Information Disclosure Statement with attached Form PTO-1449 (3 pp)

References marked AA through AE and BA through BB

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number
09/853,428

Filing Date
May 10, 2001

First Named Inventor
George Brainard

Group Art Unit
1614

Examiner Name
To be assigned

Attorney Docket Number
003252-052961

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ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment/Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) _____

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):
Form PTO-1449; References AA through AE and BA through BB; Certificate of Mailing; Return Receipt Postcard.

Remarks

The Commissioner is authorized to charge fee deficiencies to the NIXON PEABODY LLP deposit account 50-0850.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	David S. Resnick (Reg. No. 34,235) NIXON PEABODY LLP, 101 Federal Street, Boston, MA 02110
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Signature

Date

10/29/02

CERTIFICATE OF MAILING

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Typed or printed name	Melissa Kruggel
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Signature	
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Date	10/29/02
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FORM PTO-1449		DOCKET NO.: 052961	SERIAL NO.: 09/853,428
INFORMATION DISCLOSURE STATEMENT		APPLICANT(S): George Brainard	
		FILING DATE: 5/10/01	GROUP NO.: 1614

UNITED STATES PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	INVENTOR/ASSIGNEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,447,527	9/5/1995	Waldman			RECEIVED
	AB	5,824,024	10/20/1998	Dial			NOV 12 2002
	AC	5,855,595	1/5/1999	Fujishima et al.			
	AD	5,170,035	12/8/1992	Webster et al.			TECHNOLOGY CENTER R3700
	AE	5,235,178	8/10/1993	Hegyi			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO
	BA	29713395	12/3/1998	DE			
	BB	2666991	3/27/1992	FR			

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

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